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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,823	11/12/2003	Dirk Golz	DSC-196	6937
7590 06/02/2006 LERNER AND GREENBERG, P.A. POST OFFICE BOX 2480 HOLLYWOOD, FL 33022-2480			EXAMINER HUNNINGS, TRAVIS R	
			ART UNIT 2612	PAPER NUMBER

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/706,823

Applicant(s)

GOLZ ET AL.

Examiner

Travis R. Hunnings

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Girard (US Patent 5,721,666).

Regarding claim 1, Girard discloses *Device Panel With In-Molded Applique* that has the following claimed limitations:

The claimed control circuit being a functional unit having at least one component selected from the group consisting of operating elements, control elements, switching elements, and display elements, said control circuit having a circuit front side is met by the molded assembly having devices which control the operation of the device as shown in figures 1-3 (column 4, lines 10-38);

The claimed operating panel having a single opening formed therein receiving said control circuit said operating panel having a panel front side adapted to a configuration of said circuit front side of said control circuit such that said circuit front side is either flush with or projects beyond said panel front side is met by the planar

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structure that holds the molded assembly flush with the front of the device as can be seen in figures 1 and 3 (column 4, lines 10-38). The molded assembly shown in figure 3 is the complete assembly taken away from the planar structure such that they are two separate elements.

Regarding claim 2, the control circuit is a control module in which all functions which are relevant in terms of control procedures and all operating and display elements including mechanical and optical functional elements are integrated is met by the molded assembly containing all the devices and controls for operating the device (column 4, lines 10-38).

Regarding claim 4, the claimed circuit front side of said control module is adapted to said panel front side is met by the molded assembly being flush with the device as can be seen in figures 1 and 2.

Regarding claim 5, the claimed control front side of said control module has a region for information is met by the molded assembly having all the controls needed to operate the device as seen in figure 3.

Regarding claim 6, the claimed region being provided with at least one of text and symbols is met by the molded assembly having the controls as shown in figure 3.

Regarding claim 8, the claimed component being one of a plurality of components forming said control circuit is met by the multiple controls as shown in figure 3 and the claimed operating panel not containing any of said components is met by the molded assembly containing all of the control elements (column 4, lines 10-38).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Girard.

Regarding claim 3, Girard discloses all of the claimed limitations except for the claimed power switch integrated into said control module. Girard teaches the molded assembly containing any type of controls or devices that are used to operate the device (column 4, lines 10-38). Adding a power control would allow the device to be turned off when not in use and therefore save power for the user. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Girard to include a power switch in the module.

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Regarding claim 7, Girard discloses all of claimed limitations except for the claimed region having a display for changing items of information. Girard teaches the molded assembly containing any type of controls or devices that are used to operate the device (column 4, lines 10-38). It would have been well known to one of ordinary skill in the art to include a display for displaying changing items of information such as oven temperature and a clock in order to provide the most information possible to the user. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Girard to include a display for displaying changing items of information.

Response to Arguments

5. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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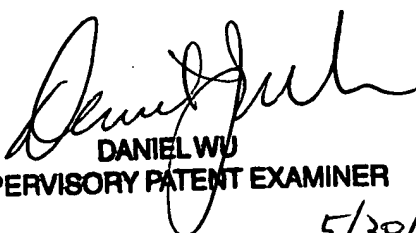
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R. Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TRH


DANIEL WU
SUPERVISORY PATENT EXAMINER
5/30/06